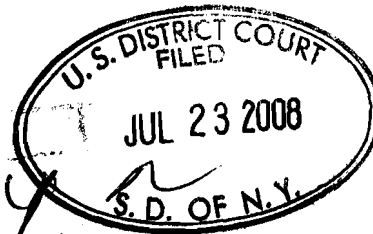


**MEMO ENDORSED**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JERRY FRITH,

Plaintiff,

-against-

HILL, et al.,

Defendant.

 USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 8/21/08

07 Civ. 5899 (JSR)

SO ORDERED: DATE: 8/20/08

 .....  
 DEBRA FREEMAN  
 UNITED STATES MAGISTRATE JUDGE
MOTION FOR CERTIFICATE OF DEFAULT

Comes now, the above named plaintiff seeking a certificate of default pursuant to Rule 55(a) Fed. R. Civ. P., against, Corey Hill, a defendant in this action, for failure to file a answer to the complaint and summons served upon him personally on May 7, 2008, in accordance to Rule 4(e)(2)(b) and Rule 4(i)(A)(ii). As proof of service, a copy of the United States Marshals Return Process Receipt and the docket sheet is enclosed.

The time to respond to the complaint has expired, and the defendant has not answered or made a motion, nor has defendant been granted an extension. Defendant is now in default. Therefore, plaintiff is requesting a "Clerk's Certificate" noting the default of the defendant.

DATED: 7/18/08

Respectfully submitted

 s/ *Jerry Frith*  
 JERRY FRITH

PRO SE OFFICE

*Denied as moot,  
in light of plaintiff's  
letter of Aug 7, 2008,  
requesting additional  
time to effect proper service  
on defendant Hill.*

CERTIFICATE OF SERVICE

I certify under the penalty of perjury that on 7/18/08  
I mailed a copy of this motion and all attachments via first class  
mail to the following parties at the addresses listed below:

*Andrew M. McNulta*  
Assistant United States Attorney  
Southern District of New York  
U.S. Department of Justice  
86 Chambers Street, 3rd Floor  
New York, New York 10007

Sincerely

*Jerry Frith*  
JERRY FRITH

United States Marshals Service

on the reverse of this form.

PLAINTIFF	COURT CASE NUMBER
DEFENDANT	TYPE OF PROCESS

**SERVE****AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ADDRESS (Street or RFD, Apartment No., State, ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER BY NAME AND MAILING ADDRESS

Jerry Frith # 53517-054  
 FCI - Fort Dix  
 PO Box 2000  
 Fort Dix, NJ 08640

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Signature of Attorney or other Originator requesting service on behalf of:

☐ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER

DATE

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

Total Charges

Total Mileage

Total Refund

Total Amount

Total Service

Total Date

Total Time

Total am

Total pm

Total

I hereby certify and return that I have personally served, have accepted service, or have indicated as shown in Remarks, the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☒ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

Time

am

5-7-08

pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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RECEIVED BY CERTIFIED MAIL

REMARKS:

RECEIPT #

RECEIPT #

DATE MAILED

U.S. ATTORNEY

U.S. ATTORNEY

U.S. ATTORNEY

NOTE

PRIOR EDITIONS  
MAY BE USED

3. NOTICE OF SERVICE

FORM USM-285 (Rev. 12/15/80)